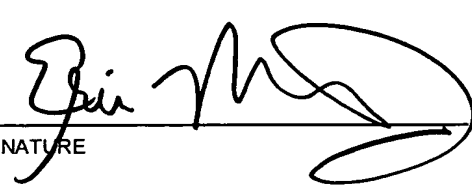


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| Substitute for Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 010315-224 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/531870 New Application |
| INTERNATIONAL APPLICATION NO. PCT/FI2004/000540 | INTERNATIONAL FILING DATE September 15, 2004 | PRIORITY DATE CLAIMED September 15, 2003 |
| TITLE OF INVENTION SELECTION SYSTEM CONTAINING NON-ANTIBIOTIC RESISTANCE SELECTION MARKER | | |
| APPLICANT(S) FOR DO/EO/US Tanel TENSON, Silja LAHT, Maarja ADOJAAN, Andres MANNIK, Urve TOOTS, and Mart USTAV | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| 1. <input checked="" type="checkbox"/> This is a FIRST submission to items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 21 below concern document(s) or information included: | | |
| 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <u>Form PCT/ISA/210 (first sheet, second sheet, and patent family annex - 6 total pages); Form PCT/ISA/237 (cover sheet, Box No. 1, Box No. V, Supplemental Box - 5 total pages); English Set of Amended Claims 1-36 as of March 17, 2005 (4 pages); Paper copy of Sequence Listing (10 total pages)</u> _____ _____ _____ | | |

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| U.S. APPLICATION NO. <u>10/531870</u> New Application | | INTERNATIONAL APPLICATION NO. PCT/FI2004/000540 | | ATTORNEY'S DOCKET NUMBER 010315-224 | |
| 21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>Fit Biotech OYJ PLC</u> _____ _____ _____ _____ _____ | | | | CALCULATIONS PTO USE ONLY | |
| | | | | | |
| 22. <input checked="" type="checkbox"/> The following fees are submitted: | | | | | |
| Basic Filing Fee (1631) | | | | \$ 300.00 | |
| Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total Claims | 22 | -20 = 2 | X \$50.00 (1615) | \$ 100.00 | |
| Independent Claims | 9 | -3 = 6 | X \$200.00 (1614) | \$ 1,200.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 (1616) | | |
| Examination Fee | | | + \$200.00 (1633) | \$ 200.00 | |
| Search Fee | | | + \$500.00 (1632) | \$ 500.00 | |
| App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets) | | | | | |
| TOTAL OF ABOVE CALCULATIONS | | | | \$ 2,300.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | + | \$ 0.00 |
| SUBTOTAL = | | | | \$ 2,300.00 | |
| Processing fee of \$130.00 (1618) for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ 0.00 | |
| TOTAL NATIONAL FEE = | | | | \$ 2,300.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property + | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$ 2,300.00 | |
| | | | | Amount to be refunded : | |
| | | | | charged : | |
| a. <input checked="" type="checkbox"/> A check in the amount of <u>\$ 2,300.00</u> to cover the above fees is enclosed. | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| d. <input type="checkbox"/> Charge _____ to credit card. Form PTO-2038 is attached. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
| Burns, Doane, Swecker & Mathis, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620 | | | | | |
| | | | |  SIGNATURE | |
| | | | | Erin M. Dunston | |
| | | | | NAME | |
| 51,147 | | | | April 19, 2005 | |
| REGISTRATION NO. | | | | DATE | |